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December 20, 2007

U.S. Environmental Protection Agency
Docket ID No. EPA-HQ-OW-2007-1126
EPA Docket Center (EPA/DC) - Water Docket - MC 2822T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: Comments regarding the Draft Plan of Action for Reducing, Mitigating, and Controlling Hypoxia in the Northern Gulf of Mexico and Improving Water Quality in the Mississippi River Basin
US EPA Docket ID No. EPA-HQ-OW-2007-1126
Law Firm File No. 043595

To Whom It May Concern:

On November 23, 2007, the United States Environmental Protection Agency ("U.S. EPA") published in the Federal Register its Notice of Availability and Request for Comment on a Draft Plan of Action for Reducing, Mitigating, and Controlling Hypoxia in the Northern Gulf of Mexico and Improving Water Quality in the Mississippi River Basin. The following comments are submitted on behalf of the Water Task Force of the Environmental Committee of the Ohio Electric Utility Institute and the following member companies:

Buckeye Power, Inc.
Columbus Southern Power Company
Dayton Power & Light Company
Duke Energy Ohio, Inc.
Ohio Power Company
Ohio Valley Electric Corporation

hereinafter, collectively, the "Utilities."

The Utilities appreciate the opportunity to comment on the draft plan of action. The Utilities' comments are directed at statements made within the draft and related documents which address the contribution of coal-burning electric generating units ("EGUs") to atmospheric deposition of nitrogen, which has been identified as a contributing factor to nutrient loading in the Mississippi River Basin. While the Utilities recognize that atmospheric deposition of nitrogen accounts for only a small amount of nitrogen in the Mississippi River Basin, the Utilities believe

that compliance with new federal and state Clean Air Act environmental regulations has reduced (and will continue to further reduce) levels of atmospheric deposition related to utility source operations.

In August 2007, the U.S. EPA's Science Advisory Board ("SAB") released the Hypoxia Panel Draft Advisory Report. In identifying contributing factors, the SAB indicates that atmospheric deposition accounts for approximately 8% of the nitrogen in the Mississippi River Basin, a small amount relative to other factors. However, the SAB details the contribution of coal-burning EGUs to atmospheric nitrogen and suggests that there could be significant reductions in nitrogen release if coal-burning EGUs were retrofitted with new control technologies that reduce emissions and if there were year-round operation of existing NOx controls.

What the report fails to address and the Utilities wish to emphasize is that under relatively new environmental regulations such as the NOx SIP Call and the Clean Air Interstate Rule ("CAIR"), many coal-burning facilities in Ohio have already installed or will be installing control technologies that will significantly reduce NOx emissions. The Utilities refer U.S. EPA to Appendix A, which identifies facilities owned or operated by the Utilities' member companies that have installed or will install post-combustion NOx controls.

In addition, CAIR is effective in January 2009. CAIR extends the current NOx ozone season (May through September) reductions to an annual program, thus, producing additional NOx reductions. As noted in the Draft Advisory Report, EGUs' contribution to the hypoxic zone is only minor and CAIR will continue to reduce this contribution to even lower levels. As a result, the benefit of imposing additional NOx reductions on these units is greatly diminished.

The Utilities wish to emphasize this point because the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force indicates in its Draft Gulf Hypoxia Action Plan 2008 that one of the overarching principles is to "[u]tilize existing programs, including existing state and federal regulatory mechanisms" in order to achieve its goal of reducing the size of the hypoxic zone by 2015. The Utilities believe that their installation of NOx control technologies provides an excellent example of how existing programs can be used to reduce atmospheric nitrogen and expect that this will result in a tangible reduction of the levels of nitrogen in the Mississippi River Basin as a result of continued operation of these controls in accordance with Clean Air Act requirements.

The Utilities appreciate the opportunity to provide these comments and hope that U.S. EPA will consider them in both the Action Plan and its ongoing research regarding the Hypoxic Zone in the Gulf of Mexico. If you should have any questions or wish to discuss these issues further, please feel free to contact me.

Very truly yours,

Michael A. Snyder

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APPENDIX A:
NOx POLLUTION CONTROL DEVICES INSTALLED IN POWER PLANTS LOCATED IN OHIO THAT ARE OWNED OR OPERATED BY THE UTILITIES' MEMBER COMPANIES

Facility	Control Technology Installed
Beckjord Station, New Richmond, Ohio	Low-NOx Burners (4 Units) Installed and Operating
Cardinal Plant, Brilliant, Ohio	Low-NOx Burners or Cyclone Furnaces (3 Units) Installed SCR[1] (2 Units) Installed and Operating
Conesville Plant, Conesville, Ohio	Low-NOx Burners and Cyclone Furnaces (4 Units) Installed SCR (1 Unit) to be Installed in 2009
Killen Electric Generating Station, Manchester, Ohio	SCR (1 Unit) Installed and Operating
J.M. Gavin Plant, Cheshire, Ohio	Low-NOx Burners and Cyclone Furnaces (2 Units) Installed SCR (2 Units) Installed and Operating
J.M. Stuart Station, Aberdeen, Ohio	Low-NOx Burners Installed SCRs (4 Units) Installed and Operating
Kyger Creek Station, Cheshire, Ohio	SCRs and Over-Fire Air (5 Units) Installed and Operating
Miami Fort Generating Station, North Bend, Ohio	SCRs (2 Units) Installed and Operating
Muskingum River Plant, Beverly, Ohio	Low-NOx Burners and/or Cyclone Furnaces (5 Units) Installed SCR (1 Unit) Installed and Operating
O.H. Hutchings Station, Miamisburg, Ohio	Low-NOx Burners and Over-Fire Air (4 Units) Installed and Operating
Picway Plant, Lockbourne, Ohio	Low-NOx Burner and Cyclone Furnace (1 Unit) Installed
Wm. H. Zimmer Generating Station, Moscow, Ohio	SCR (1 Unit) Installed and Operating

[1] Selective Catalytic Reduction